

publication of Sunday newspapers, the closing of canals, the prohibition of way traffic upon railways, and excursions by rail or steamboat. These cover only a very small part of the ground, and if the hon. gentleman (Mr. Charlton) wishes to secure a general observance of the Lord's Day as a day of rest, he will have to apply his Bill to all classes of the population. Let us hear something about a day of rest for cab drivers, livery men, coachmen, domestic servants, and a great many other classes which might be mentioned. In my opinion, domestic servants are subject to a great deal more imposition in this respect than the servants of railway companies, for there is a very elastic interpretation of their duties involved in laws and precedents. They may be called upon, at the risk of losing their position, to work at almost all hours of the day and night, Sundays and Saturdays, and if there is a case for providing legislative relief for railway men, there is a still stronger case in regard to domestic servants.

Why are not the employees of electric railways included in this Bill? We know that in many cities in Canada the trolley cars run on Sunday just as regularly as they do on any other day of the week. We know that in the cities of Toronto, Hamilton and Ottawa, the question whether Sunday cars shall run or not is an extremely live one, and one bitterly debated between different classes of the population. If the hon. gentleman (Mr. Charlton) believes that he has a right to deal with the matter at all, why does he not deal with this phase in his Bill?

But let me come at once to the main objection to the adoption of this Bill by the House. With the exception of the one clause relating to the closing of canals, I do not believe there is a section of this Bill that is within the powers of this Federal Parliament. The British North America Act provides distinctly that property and civil rights shall be within the jurisdiction of the different provinces; and, Sir, if the operation of railways upon Sundays is not a question of property, and if the status of the railway labourer in regard to being compelled to work upon Sunday is not a question of civil rights, then I do not understand the meaning of that classification at all. If any endorsement of this opinion of mine were needed I find it in the fact that in the province of Ontario, under the leadership of the hon. gentleman who is now Minister of Justice in this Government, there has been ample and widely observance of Sunday, with regard both to railways and other matters.

It was under the premiership of Sir Oliver Mowat, the Christian statesman, as we are all happy to call him, that the legislature of Ontario enacted broad and comprehensive Sunday legislation. That hon. gentleman no doubt believed then, and no doubt believes now, that the province had the right to deal with that question, and I think

the plain wording of the British North America Act bears him out. But even if his opinion were contrary to mine on the subject, I would be undoubtedly bound to accept his view, on the ground of his superior constitutional knowledge. I claim, therefore, that we have the authority of the Minister of Justice of this Government for the contention that Sunday observance is a question purely within the limits of provincial authority.

It was not without reason that the British North America Act provided this classification. The observance of Sunday is a question upon which the people of all Canada are not unanimous. We have a very Protestant province in Ontario—in some parts of it a strongly Presbyterian province. In my own constituency, I may say, that religious view almost entirely prevails; the people there keep the Sabbath, or the Sunday strictly, according to their conscience. In the province of Quebec, on the other hand, a different view is taken of the obligations of that day. There the restrictions imposed by the Mosaic law are less regarded. The Sunday is looked upon more as this Bill proposes to look upon it, as a day of rest, and perhaps a day of recreation. I am not going to discuss the propriety of one or the other of these views. My Presbyterian constituents look upon Sunday not only as a day of rest, but as a day to be kept holy from worldly concerns and to be devoted to their spiritual welfare. Our friends in Quebec believe in keeping holy that day according to their own views and their own consciences. They do not believe they desecrate it by what they consider innocent amusement and recreation. Now, how is it possible to ask two populations, so different in their views of the obligations of Sunday, to come under one rigid law regarding the observance of that day? It was for that particular reason amongst others that the subject of civil rights was assigned to the different provinces, to decide according to their own will, and that the different provinces have assumed the special right to legislate on Sunday observance.

I think the provision in the British North America Act was thoroughly justified by the differences in our populations. I think the provinces which have taken advantage of that provision of the Act are thoroughly justified by the law and equity of the case. We need not go outside of the province of Ontario to find a different standard of Sunday observance. Go among our German friends in the county of Waterloo, and you will find that they do not look on the Sunday in the same light that our Presbyterian people do. I do not say which view is right or which is wrong. I say it is the civil right of every man in Canada to observe the Sunday according to his own conscience, so long as he does not in so doing interfere